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*Attorneys for Plaintiff  
Northstar Financial Advisors, Inc.*

[Additional Counsel Appear on Signature Page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

NORTHSTAR FINANCIAL ADVISORS,  
INC., on Behalf of Itself and All Others  
Similarly Situated,

Plaintiff,

v.

SCHWAB INVESTMENTS; and  
MARIANN BYERWALTER, DONALD F.  
DORWARD, WILLIAM A. HASLER,  
ROBERT G. HOLMES, GERALD B.  
SMITH, DONALD R. STEPHENS,  
MICHAEL W. WILSEY, CHARLES R.  
SCHWAB, RANDALL W. MERK,  
JOSEPH H. WENDER and JOHN F.  
COGAN as TRUSTEES OF SCHWAB  
INVESTMENTS; and CHARLES  
SCHWAB INVESTMENT  
MANAGEMENT, INC.,

Defendants.

) Case No. C 08-04119 (LHK)  
) CLASS ACTION  
)  
) STIPULATION EXTENDING DATE TO  
) FILE THIRD AMENDED COMPLAINT  
) AND MODIFYING BRIEFING  
) SCHEDULE

[C 08-04119 (LHK)] STIPULATION EXTENDING DATE TO FILE THIRD AMENDED COMPLAINT AND MODIFYING BRIEFING SCHEDULE

1 Plaintiff Northstar Financial Advisors, Inc. (“Northstar”) and defendants Schwab  
2 Investments, Mariann Byerwalter, Donald F. Dorward, William A. Hasler, Robert G. Holmes,  
3 Gerald B. Smith, Donald R. Stephens, Michael W. Wilsey, Charles R. Schwab, Randall W. Merk,  
4 Joseph H. Wender and John F. Cogan as Trustees of Schwab Investments; and Charles Schwab  
5 Investment Management, Inc. (“Defendants”), by and through their counsel, hereby jointly submit a  
6 stipulated request for an order extending Northstar’s date to file the Third Amended Class Action  
7 Complaint and to establish a briefing schedule for Defendants’ motion to dismiss that Complaint.  
8

**RECITALS**

9       **WHEREAS**, on September 29, 2010, plaintiff filed its Second Amended Complaint  
10 (“SAC”), and on November 10, 2011, Defendants filed their Motion to Dismiss the Second  
11 Amended Complaint;

12       **WHEREAS**, on March 2, 2011, the Court issued its Corrected Order Granting in Part and  
13 Denying in Part Defendants’ Motion to Dismiss the SAC [Docket #175] which, among other  
14 matters, directed Plaintiff to file a Third Amended Complaint (“TAC”) by no later than March 22,  
15 2011;

16       **WHEREAS**, counsel for defendants has requested a two-week extension to respond to the  
17 TAC on briefing for scheduling reasons; and, in response, counsel for plaintiff has requested a one-  
18 week extension within which to file its TAC;

19       **WHEREAS**, plaintiff shall file its TAC by no later than March 29, 2011, and counsel for  
20 defendants will serve and file any response to the TAC by no later than April 25, 2011; and

21       **WHEREAS**, defendants Schwab Investments, Charles Schwab & Co., Inc., and Charles  
22 Schwab Investment Management, Inc., through their prior counsel, have previously requested and  
23 entered into two stipulations with counsel for plaintiff seeking to extend time [Docket Nos. 8 and  
24 85]; and the parties mutually agreed to one scheduling stipulation [Docket # 121].  
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## **STIPULATION**

**IT IS HEREBY STIPULATED**, subject to the Court's approval, by and between counsel for Northstar and Defendants:

1. The last day for Plaintiff to file its Third Amended Complaint is March 29, 2011; and
  2. Defendants shall respond by no later than April 25, 2011.

Dated: March 18, 2011

Respectfully submitted,

**BERMAN DEVALERIO**

By: /s/ Christopher T. Heffelfinger  
Christopher T. Heffelfinger

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*Attorneys for Plaintiff Northstar Financial Advisors, Inc.*

1 Dated: March 18, 2011

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12 *Attorneys for defendants Schwab Investments,  
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William A. Hasler, Robert G. Holmes, Gerald B.  
Smith, Donald R. Stephens, Michael W. Wilsey,  
Charles R. Schwab, Randall W. Merk, Joseph H.  
Wender and John F. Cogan as Trustees of  
Schwab Investments, and Charles Schwab  
Investment Management, Inc.*

17 **E-FILING ATTESTATION**

18 Pursuant to General Order No. 45, Section X(B) regarding signatures, Christopher T.  
19 Heffelfinger hereby attests that concurrence in the filing of this document has been obtained.

21 By: /s/ Christopher T. Heffelfinger  
Christopher T. Heffelfinger

23 **ORDER**

24 Pursuant to stipulation, IT IS SO ORDERED.

26 Dated: March 21, 2011

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HONORABLE LUCY KOH  
UNITED STATES DISTRICT JUDGE